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THE GAP, INC., a/k/a, GAP, INC., GAP INTERNATIONAL  
7 SALES, INC., BANANA REPUBLIC, LLC, AND OLD NAVY,  
LLC

8 UNITED STATES DISTRICT COURT  
9  
NORTHERN DISTRICT OF CALIFORNIA  
10  
SAN FRANCISCO DIVISION  
11

12 ROOTS READY MADE GARMENTS CO.  
13 W.L.L.,

14 Plaintiff,

15 v.

16 THE GAP, INC., a/k/a, GAP, INC., GAP  
INTERNATIONAL SALES, INC., BANANA  
17 REPUBLIC, LLC, AND OLD NAVY, LLC

18 Defendants.  
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Case No. C 07-03363 CRB

**[PROPOSED] ORDER GRANTING  
MOTION TO DISMISS SECOND  
AMENDED COMPLAINT**

1 On December 14, 2007, Defendants The Gap, Inc., Gap International Sales, Inc., Banana  
2 Republic, LLC and Old Navy, LLC (collectively "Gap") filed a motion to dismiss the Second  
3 Amended Complaint filed by Roots Ready Made Garments Co. W.L.L. ("Roots") in this action.  
4 Having considered Roots' Second Amended Complaint, the papers filed in support of and in  
5 opposition to Gap's motion, and the arguments of counsel, the Court hereby **GRANTS** Gap's  
6 Motion to Dismiss with prejudice on the basis that Roots' Second Amended Complaint fails to  
7 state a claim upon which relief can be granted. *See* Fed. R. Civ. P. 9(b).

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9 **IT IS SO ORDERED.**

10 Dated:

11 By: \_\_\_\_\_

12 CHARLES R. BREYER  
13 United States District Court Judge  
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